

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 15,815

IN THE MATTER OF:

Served August 21, 2015

Application of PRIORITY SEDAN INC.)
to Acquire Certificate No. 2168)
from SHADI MUHAMMAD SAYYAD, TRADING)
AS PRIORITY SEDAN)

Case No. AP-2015-172

By application accepted for filing July 29, 2015, applicant, Priority Sedan Inc., a Virginia entity, seeks Commission approval to acquire Certificate No. 2168 from Shadi Muhammad Sayyad, trading as Priority Sedan. Mr. Sayyad has agreed to transfer Certificate No. 2168 and other assets in exchange for a controlling interest in Priority Sedan Inc., a new carrier. The application is unopposed.

This is applicant's second application to obtain Certificate No. 2168. The first was conditionally approved last year, but the reissuance of Certificate No. 2168 in applicant's name was expressly made contingent on applicant filing additional documents and passing a vehicle inspection conducted by Commission staff.¹ Applicant failed to satisfy the conditions for reissuance of Certificate No. 2168 within the time allotted, thereby voiding the Commission's approval.²

Under Article XI, Section 11(a), of the Compact, a person may not transfer a certificate of authority unless the Commission approves the transfer as consistent with the public interest. The public interest analysis focuses on the acquiring party's fitness.³

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules,

¹ See *In re Priority Sedan Inc.*, No. AP-14-310, Order No. 15,229 (Dec. 8, 2014) (conditionally approving transfer of Certificate No. 2168).

² See *id.* (approval void upon applicant's failure to timely satisfy conditions of reissuance); Commission Regulation No. 66 (failure to comply with conditions of grant within 180 days voids approval).

³ *In re Quality Med. Supplies LLC, t/a F & J Healthcare Servs., & Tingem Health Care Servs. Inc.*, No. AP-04-25, Order No. 8033 (May 27, 2004).

regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

Based on the evidence in this record, the Commission finds applicant to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements and, therefore, that the transfer of Certificate No. 2168 to applicant is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 2168 shall be reissued to Priority Sedan Inc., 5613 Leesburg Pike, #28, Falls Church, VA 22041-2912.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until Certificate of Authority No. 2168 has been reissued in accordance with the preceding paragraph.

3. That applicant is hereby directed to file the following documents and present its revenue vehicle(s) for inspection within the 180-day maximum permitted in Commission Regulation No. 66: (a) evidence of insurance pursuant to Commission Regulation No. 58; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; and (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia.

4. That the transfer of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of reissuance prescribed herein.

FOR THE COMMISSION



William S. Morrow, Jr.
Executive Director